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## COMMONWEALTH of VIRGINIA

STATE WATER CONTROL BOARD

2111 Hamilton Street

R. V. Davis  
Executive SecretaryPost Office Box 11143  
Richmond, Virginia 23230  
(804) 257-0056

SEP 24 1980

CERTIFIED MAIL  
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## BOARD MEMBERS

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Chairman  
William L. Tate  
Vice-ChairmanJohn H. Ariail, Jr.  
Col. J. Leo Bourassa  
Warren L. Braun  
George M. Cornell  
Millard B. Rice, Jr.Mr. G. C. Kirkmyer, Jr.  
Liquid Waste Disposal, Inc.  
P. O. Box 29832  
Richmond, Virginia 23229

Dear Mr. Kirkmyer:

Enclosed is the executed Consent Order for Liquid Waste Disposal, Inc. The effective date of the Order corresponds with the date on which it was executed.

As you are aware, the Order requires that you submit plans by October 1, 1980. Failure to comply with this Order may result in legal action.

The staff will continue to work with you to assist in achieving compliance with this Order. If you have questions or need assistance, please contact the Piedmont Regional staff.

Very truly yours,

R. V. Davis  
Acting Executive Secretarypl  
enclosurecc: Piedmont Regional Office, SWCB  
Bureau of Applied Technology, SWCB  
Attorney General's Office  
U. S. Environmental Protection Agency, Region III (2)



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## A SPECIAL ORDER

ISSUED TO

LIQUID WASTE DISPOSAL, INC.

This is a Special Order issued by the State Water Control Board, hereinafter called "Board", pursuant to Section 62.1-44.15(8) of the Code of Virginia (1950), as amended, to Liquid Waste Disposal, Inc., hereinafter called "Liquid Waste", which has consented to the issuance of this Order.

Liquid Waste operates a facility which incinerates liquid industrial waste which may be considered hazardous waste. The facility is composed of a 18,000 gallon storage tank, incinerator and small storage area for drums.

Industrial Waste No-Discharge Certificate No. IW-ND-1168 was issued to Liquid Waste and became effective on October 26, 1979. Conditions of Certificate No. IW-ND-1168 require that the site be sealed and secure to prevent contamination of groundwater and contaminated runoff from entering surface waters. Submission of plans to meet the conditions of Certificate No. IW-ND-1168 were due within 45 days of the effective date of the certificate.

Because Liquid Waste has failed to submit acceptable plans to the Board and in order to achieve compliance with the Special Conditions of Certificate No. IW-ND-1168, the Board hereby orders Liquid Waste to comply and Liquid Waste hereby agrees to comply with the schedule contained in Appendix A which is attached hereto and incorporated herein by reference.

In the event that Liquid Waste decides to cease operation of the disposal facility, the Board hereby orders Liquid Waste to notify and Liquid Waste hereby agrees to notify the Board of its intent by August 20, 1980. Further, the Board hereby orders Liquid Waste to comply and Liquid Waste hereby agrees to comply with the schedule for closure more particularly described in Appendix B, which is attached hereto and incorporated herein by reference.

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Liquid Waste expressly waives its right to a formal hearing on, and to judicial review of, this Order in any administrative or judicial proceeding. Further, Liquid Waste expressly waives its right to written findings of fact and conclusions of law in this Order. Notwithstanding the foregoing, Liquid Waste shall not be deemed to have waived, in any future administrative or judicial proceedings, its right to contest the factual basis upon which any allegation of violation of, nor non-compliance with, this Order rests. The Board may modify, amend or cancel this Order for cause shown by Liquid Waste or on its own motion, after notice.

This Order shall become effective immediately upon the date of its execution by the authorized representative of the Board.

STATE WATER CONTROL BOARD

Dated: 9-24-80  
Effective Date

By: *Richard S. Bellman*  
Acting Executive Secretary

The terms and conditions of this Order are expressly accepted.

Dated: 8-13-80

*Liquid Waste Disposal Inc.*  
By: *W. H. H. H. H. H.*  
TITLE: *Dir. Freeman*

APPENDIX A

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In order to obtain compliance with the Special Conditions contained in Certificate No. IW-ND-1168, specifically Special Condition No. 2, Liquid Waste shall comply with the following schedule:

By October 1, 1980, submit:

1. Approvable plans for raising the clay layer barrier at the perimeter of the site to a vertical height of 12 inches.
2. Approvable plans for storing and disposing of contaminated runoff water accumulated at the site.

By October 24, 1980 commence:

1. Construction and connection of the vertical barrier at the perimeter of the site to the clay layer.
2. Construction of the storage and disposal facility for the contaminated runoff water accumulated at the site.
3. Construction of the fourth side of the berm to prevent entry of floodwaters on the site.

By November 21, 1980, complete:

1. Construction and connection of the vertical barrier at the perimeter of the site to the clay layer.
2. Construction of the storage and disposal facility for the contaminated runoff water accumulated at the site.
3. Construction of the fourth side of the berm to prevent entry of floodwaters on the site.

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APPENDIX B

In the event that Liquid Waste notifies the Board of intent to cease operation of the disposal facility, Liquid Waste shall comply with the following schedule for closure:

1. By October 1, 1980, submit an approvable closure plan to properly dispose of contaminated equipment and soil.
2. By November 30, 1980, begin implementation of the closure plan.
3. By January 1, 1981, complete the closure plan.